

LAW OFFICES OF  
**CICHANOWICZ, CALLAN, KEANE, VENGROW & TEXTOR, LLP**  
61 BROADWAY, SUITE 3000  
NEW YORK, N.Y. 10006-2802

PAUL M. KEANE  
STEPHEN H. VENGROW<sup>1</sup>  
JAMES M. TEXTOR<sup>2</sup>  
JOSEPH F. DE MAY, JR.  
RANDOLPH H. DONATELLI<sup>3</sup>  
PATRICK MICHAEL DECHARLES II<sup>4</sup>

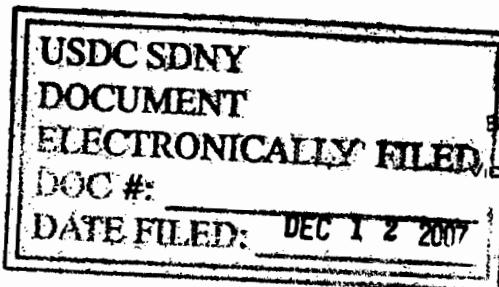
JESSICA A. DE VIVO<sup>5</sup>  
IRENE M. ZANETOS<sup>6</sup>

<sup>1</sup>ALSO ADMITTED TO DISTRICT OF COLUMBIA, MAINE & NEW JERSEY  
<sup>2</sup>ALSO ADMITTED TO PENNSYLVANIA  
<sup>3</sup>ALSO ADMITTED TO GEORGIA  
<sup>4</sup>ALSO ADMITTED TO NEW JERSEY & TEXAS  
<sup>5</sup>ALSO ADMITTED TO NEW JERSEY

TELEPHONE: (212) 344-7042  
TELEFAX: (212) 344-7285  
TELEFAX: (212) 344-3988

NEW JERSEY OFFICE  
76 MONTGOMERY STREET, SUITE 200  
JERSEY CITY, NJ 07302  
(201) 209-0860

December 7, 2007



A.J. MARINO  
OF COUNSEL

BYRON KING CALLAN  
(1914 - 1992)  
VICTOR S. CICHANOWICZ  
(1918 - 1989)

BY TELEFAX TO 212-805-0426

Honorable Laura Taylor Swain, U.S.D.J.  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, New York 10007

**MEMO ENDORSED**

Re: Nippon Yusen Kaisha v. Fresh West Exchange  
07 CIV 7839 (LTS) (S.D.N.Y.)  
Our Ref. No.: 8958/PMK

Your Honor:

We are the attorneys for plaintiff in the above captioned matter which is an admiralty action brought to recover unpaid ocean freight charges. At our request, the Court has issued process of maritime attachment and garnishment of which we have been making daily service on garnishee banks in an attempt to attach assets. To date we have been unsuccessful in doing so. The action was filed September 5, 2007. With the Court's permission, if at the expiration of 120 days from commencement, we have had no success in locating attachable assets, we will evaluate whether it is worth continuing the action and provide a status report to Your Honor. Under the circumstances we ask that the initial pretrial conference be adjourned sine die.

The initial pretrial conference is adjourned  
to February 22, 2008, at 10:30AM

Respectfully,  
CICHANOWICZ, CALLAN, KEANE,  
VENGROW & TEXTOR, LLP

Joseph De May, Jr. [JD-9105]

SO ORDERED.

LAURA TAYLOR SWAIN  
UNITED STATES DISTRICT JUDGE

12/11/2007